

REMARKS

Applicants have carefully reviewed the Application in light of the Office Action mailed November 16, 2005. At the time of the Office Action, Claims 1-47 were pending in the Application. Applicants amend Claims 1, 5, 7, 12, 16, 18, 23, 27, 29, 38, and 43 and cancel Claims 4, 6, 15, 17, 26, 28, 41, and 42 without prejudice or disclaimer. Applicants add Claims 48-59. Applicants' amendments, cancellations, and additions have been done to advance prosecution in this case and not to overcome prior art. Applicants respectfully request reconsideration of the pending claims and favorable action in this case.

Section 112 Rejection

The Examiner rejects Claims 38-47 under 35 U.S.C. § 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter that Applicants regard as the invention. Applicants amend Claim 38 and cancel Claim 41. Accordingly, Applicants request reconsideration and allowance of Claim 38 and its dependents.

Section 102 Rejection

The Examiner rejects Claims 1-3, 12-14, 23-25, and 38-40 under 35 U.S.C. § 102(e), as being anticipated by U.S. Patent No. 6,233,320 issued to Haimi-Cohen (hereinafter "*Haimi-Cohen*"). Applicants respectfully request reconsideration of this rejection of the above-mentioned claims. "A claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference." *Verdegaal Bros. v. Union Oil Co. of California*, 2 U.S.P.Q.2d 1051, 1053 (Fed. Cir. 1987); M.P.E.P. §2131.

Applicants amend Claim 1 to include the limitations of Claims 4 and 6; amend Claim 12 to include the limitations of Claims 15 and 17; amend Claim 23 to include the limitations of Claims 26 and 28; and amend Claim 38 to include the limitations of Claims 41-42. Applicants respectfully submit that *Haimi-Cohen* does not disclose, teach, or suggest, either expressly or inherently, each and every element of Claim 1. For example, Claim 1 includes "associating system parameters corresponding in time to a voice sample with the voice sample in the error log." Because *Haimi-Cohen* fails to teach at least this limitation,

Applicants respectfully submit that *Haimi-Cohen* cannot anticipate Claim 1 under 35 U.S.C. § 102(e). Thus, Applicants respectfully request reconsideration and allowance of independent Claim 1 and its dependents.

Independent Claims 12, 23, and 38 each recite certain limitations that, for reasons substantially similar to those discussed with reference to independent Claim 1, *Haimi-Cohen* does not disclose, teach, or suggest. Therefore, Applicants respectfully request reconsideration and allowance of independent Claims 12, 23, and 38 together with their dependents.

Section 103 Rejection

The Examiner rejects Claims 4-5, 7, 15-16, 18, 26-27, 29, 41, and 43 under 35 U.S.C. § 103(a), as being unpatentable over *Haimi-Cohen* in view of U.S. Patent No. 6,512,746 issued to Sand (hereinafter "*Sand*"). "To support the conclusion that the claimed invention is directed to obvious subject matter, either the references must expressly or impliedly suggest the claimed invention or the examiner must present a convincing line of reasoning as to why the artisan would have found the claimed invention to have been obvious in light of the teachings of the references." M.P.E.P. §706.02(j) (citing *Ex parte Clapp*, 227 U.S.P.Q. 972, 973 (Bd. Pat. App. & Inter. 1985)). Applicants respectfully submit that the Examiner does not present either to support the rejections under 35 U.S.C. § 103(a).

Applicants respectfully submit that the combination fails to disclose, teach, or suggest each limitation recited in Applicants' claims. Applicants cancel Claims 4, 15, 26, and 41. Claims 5 and 7 depend from Claim 1, Claims 16 and 18 depend from Claim 12, Claims 27 and 29 depend from Claim 23, and Claim 43 depends from Claim 38. Because Claims 5, 7, 16, 18, 27, 29, and 43 incorporate the limitations of their respective independent claims, which Applicants have shown above to be allowable, Claims 5, 7, 16, 18, 27, 29, and 43 are allowable for at least this reason. Additionally, Claims 5, 7, 16, 18, 27, 29, and 43 also recite additional limitations that are not disclosed, taught, or suggested in the cited references. For at least these reasons, Applicants respectfully request reconsideration and allowance of Claims 5, 7, 16, 18, 27, 29, and 43.

Allowable Subject Matter

Applicants appreciate the Examiner's allowance of Claims 34-37. *Office Action*, p. 4. Applicants also note with appreciation the Examiner's indication that Claims 6, 8-11, 17, 19-22, 28, and 30-33 would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims. *Office Action*, p. 4. Applicants have incorporated limitations of Claim 6 into Claim 1 and canceled Claim 6, incorporated limitations of Claim 17 into Claim 12 and canceled Claim 17, and incorporated limitations of Claim 28 into Claim 23 and canceled Claim 28. Claims 8-11, 19-22, and 30-33 depend from allowable Claims 1, 12, and 23, respectively. Additionally, Applicants appreciate the indication that the subject matter of Claims 42 and 44-47 would be allowable if rewritten to overcome the rejection under 35 U.S.C. §112, second paragraph. *Office Action*, p. 5. Applicants have amended Claim 38, from which Claims 42 and 44-47 depend, to overcome the rejection. Accordingly, Applicants respectfully request reconsideration and allowance of the pending claims.

New Claims

Applicants add new Claims 48-59, which are fully supported by the specification of the present application as originally filed. Claim 48 recites a method comprising "signaling a second endpoint to the voice connection to log quality information for the voice connection at the second endpoint, the quality information including voice samples from the voice connection at the second endpoint." Neither *Haimi-Cohen* nor *Sand*, alone or in combination, disclose, teach, or suggest at least this limitation of Claim 48. Accordingly, Applicants request consideration and allowance of Claim 48 and its dependents, new Claims 49-51.

New independent Claims 52 and 56 each recite certain limitations that, for reasons substantially similar to those discussed with reference to Claim 48, *Haimi-Cohen* and *Sand*, alone or in combination, do not disclose, teach, or suggest. Therefore, Applicants respectfully request consideration and allowance of Claims 52 and 56 together with their dependents.


CONCLUSION

Applicants have now made an earnest attempt to place this case in condition for immediate allowance. For the foregoing reasons and for all other reasons clear and apparent, Applicants respectfully request reconsideration and allowance of the pending claims.

Applicants submit herewith a check in the amount of \$800.00 to cover the cost of the additional new claims. If this is not correct, the Commissioner is hereby authorized to charge any additional fees or credit any overpayment to Deposit Account No. 02-0384 of Baker Botts, L.L.P.

If there are matters that can be discussed by telephone to advance prosecution of this application, Applicants invite the Examiner to contact its attorney, Barton E. Showalter, at (214) 953-6509.

Respectfully submitted,
BAKER BOTTS L.L.P.
Attorneys for Applicants



Barton E. Showalter
Reg. No. 38,302

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Customer No. **05073**